

AMENDED

Nº 44401

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... SEP 8 1981
Returned to applicant for correction..... DEC 8 0 1981
Corrected application filed..... FEB 3 1982
Map filed..... FEB 3 1982

The applicant..... Duval Corporation
Land Dept. 4715 E. Fort Lowell Rd, of Tucson
Street and No. or P.O. Box No. City or Town
Arizona 85712
State and Zip Code No. hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) August 18, 1926 - Texas qualified in Nevada June 5, 1962

1. The source of the proposed appropriation is Copper Canyon Well #5
Name of stream, lake or other source.
2. The amount of water applied for is 3.33 cfs second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet..... acre-feet
3. The water to be used for Mining, Milling & Domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
 - (a) Irrigation (state number of acres to be irrigated).....
 - (b) Stockwater (state number and kinds of animals to be watered).....
 - (c) Other use (describe fully under "No. 12. Remarks").....
 - (d) Power:
 - (1) Horsepower developed.....
 - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 30 N, R 43 E, MDM, at a point from which the SW corner of said Section 8
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, bears S 36° 04' W 50 feet
it should be stated.
6. Place of use Sections 21, 22, 27, 28, 33 & 34, T 31 N, R 43 E, MDM and Sections 9 & 10 of T 30 N, R 43 E, MDM
Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled and cased well equipped with motor, pump and pipeline to place of use
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....\$50,000.00
10. Estimated time required to construct works.....2 years
If well completed, describe works.
11. Estimated time required to complete the application to beneficial use.....10 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The annual consumptive use under this application will not exceed the permitted amounts under 11876, 22884, 36870 & 40977. Water from this source will be co-mingled with other permits utilized by the applicant.

Please send copies of all correspondence and notices to undersigned agent.

By s/William A. Nisbet

Agent Signature, applicant or agent

Compared bl/bc

ja/bt

421 Court

Elko, Nevada 89801

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed.

The total combined duty of water under this permit and Permits 11876, 36870, 44402, and 44403 shall not exceed 825.65 million gallons annually.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....3.33.....cubic feet per second but not to exceed 785.56 million gallons annually.

Actual construction work shall begin on or before.....N/A

Proof of commencement of work shall be filed before.....N/A

Work must be prosecuted with reasonable diligence and be completed on or before.....November 12, 1984

Proof of completion of work shall be filed before.....December 12, 1984

Application of water to beneficial use shall be made on or before.....November 12, 1987

Proof of the application of water to beneficial use shall be filed on or before.....December 12, 1987

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed..... IN TESTIMONY WHEREOF, I PETER G. MORROS

Completion of work filed..... State Engineer of Nevada, have hereunto set my hand and the seal

Proof of beneficial use filed..... my office, this 12th day of NOVEMBER

Cultural map filed.....

Certificate No..... Issued

A.D. 1982

WITHDRAWN BY APPLICANT

State Engineer

STATE ENGINEER

REG-49459 025 de
000: 49460 025 de
REG-49461 025 de
REG-49462 025 de

RECEIVED BY SECRETARY JAN 9 1987